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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,466	04/21/2004	Yi-Fen Chen	10033.001000	6418
31894 7590 06/14/2007 OKAMOTO & BENEDICTO, LLP P.O. BOX 641330 SAN JOSE, CA 95164			EXAMINER TRUONG, THANHNGA B	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 06/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/829,466	Applicant(s) CHEN ET AL.	
	Examiner Thanhnga B. Truong	Art Unit 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Thanhnga B. Truong
AU2135

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/2/06, 7/17/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the communication filed on July 25, 2006. Claims 1-19 are pending. At this time, claims 1-19 are rejected.

Information Disclosure Statement

2. The information disclosure statement (IDS) filed on June 2, 2006 and July 17, 2006. The submissions are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Borella et al (US 7,028,335 B1).

a. *Referring to claim 1:*

i. Borella teaches a method of controlling traffic in a computer network, the method comprising:

(1) modifying a data unit to be sent by a first computer, the data unit being intended for a second computer, the data unit being modified such that the data unit is redirected from the first computer to a third computer (**column 3, lines 37-42; column 4, lines 23-35 of Borella**);

(2) sending the data unit from the first computer to the third computer (**column 3, lines 24-25; column 21, lines 51-53 of Borella**); and

(3) forwarding the data unit from the third computer to the second computer (**column 4, lines 41-45 of Borella**).

b. Referring to claim 2:

i. Borella teaches:

(1) wherein the data unit is selected to be modified based on an intended destination of the data unit (**column 3, lines 37-42; column 4, lines 23-35 of Borella**).

c. Referring to claim 3:

i. Borella teaches:

(1) wherein the data unit is modified in the first computer prior to initialization of a network-enabled application in the first computer (**column 3, lines 37-42; column 4, lines 23-35 of Borella**).

d. Referring to claim 4:

i. Borella teaches:

(1) wherein the data unit comprises an Ethernet packet (**column 8, lines 20-36 of Borella**).

e. Referring to claim 5:

i. Borella teaches:

(1) wherein a destination address field of the data unit is modified to contain an address of the third computer in a destination address field and an address of the second computer in another portion of the packet (**column 19, lines 3-15 of Borella**).

f. Referring to claim 6:

i. Borella teaches:

(1) wherein the second computer comprises a DHCP (Dynamic Host Configuration Protocol) server (**column 10, lines 5-14 of Borella**).

g. Referring to claim 7:

i. Borella teaches:

(1) scanning the data unit for viruses at the third computer (**column 3, line 60 through column 4, line 11 of Borella**).

h. Referring to claim 8:

i. Borella teaches:

(1) wherein the data unit is quarantined at the third computer (**column 3, line 60 through column 4, line 11 of Borella**).

i. Referring to claim 9:

i. Borella teaches:

(1) the third computer is selected to receive the data unit based on an intended destination of the data unit (**column 3, lines 7-18 of Borella**).

j. Referring to claims 10-16:

i. These claims have limitations that is similar to those of claims 1-9, thus they are rejected with the same rationale applied against claims 1-9 above.

k. Referring to claims 17-20:

i. These claims have limitations that is similar to those of claims 1-9, thus they are rejected with the same rationale applied against claims 1-9 above.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Huth (US 6,519,263 B1) discloses process for transmitting data packets of predefinable priority classes using ethernet from a first device to at least one other device (see title).

b. Wesley (US 6,076,114) discloses methods, systems and computer program products for reliable data transmission over communication networks (see title).

c. Maher, III et al (US 6,654,373 B1) discloses content aware network apparatus (see title).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

Art Unit: 2135

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached at 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Thanh B. Do
AU2135

TBT

June 10, 2007